

## DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: **DRY POWDER INHALER EXCIPIENT, PROCESS FOR ITS PREPARATION AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT**

the specification of which (check one):

- ☐ is attached hereto.  
☒ was filed on November 30, 1999 as Application Serial No. 09/424,247.  
☐ was filed on \_\_\_\_\_ as International Application (PCT) No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, § 1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

### PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
97870065.6	Europe	7 May, 1997	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending or Abandoned)
PCT/BE98/00064	May 7, 1998	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** We hereby appoint as our attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Allan M. Lowe, Registration Number 19,641; Benjamin J. Hauptman, Registration Number 29,310; Michael G. Gilman, Registration Number 19,114; Kenneth M. Berner, Registration Number 37,093; Henry M. Zykorle, Registration Number 27,477; Randy A. Noranbrock, Registration Number 42,940; and William E. Beaumont, Registration Number 30,996.

Send correspondence to: **LOWE HAUPTMAN GILMAN & BERNEK, LLP**  
**CUSTOMER NO. 22429**  
 1700 Diagonal Road, Suite 300  
 Alexandria, Virginia 22314

TELEPHONE CALLS TO:  
**William E. Beaumont**  
 (703) 684-1111

I hereby authorize the U.S. attorneys and agents named herein to accept and following instructions from \_\_\_\_\_ as to any actions to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys will be so notified by the undersigned.

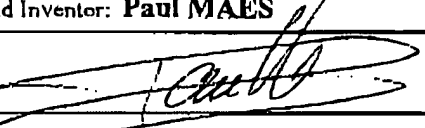
☒ See following page(s) for additional joint inventors.

Full name of sole or first inventor: <b>Francis VANDERBIST</b>	
Inventor's signature: _____	Date: _____
Residence: <b>Alsemberg Steenweg, 1116, 1650 Beersel, Belgium</b>	
Citizenship: <b>Belgium</b>	
Post Office Address: <b>Same as above</b>	

ATTORNEY DOCKET NO.: 1619-009

**DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY**

Page 2

Full Name of Second Inventor: <b>Paul MAES</b>
Inventor's signature:  Date: <b>Oct 24<sup>th</sup> 02</b>
Residence: <b>c/o Biovail Technologies, Ltd., 3701 Concorde Parkway, Chantilly, Virginia 20151</b>
Citizenship: <b>Belgium</b>
Post Office Address: <b>Same as above</b>

Full Name of Third Inventor: <b>Phillippe R. BAUDIER</b>
Inventor's signature: _____ Date: _____
Residence: <b>Rue England 338, B-1180 Brussels, Belgium</b>
Citizenship: <b>Belgium</b>
Post Office Address: <b>Same as above</b>

Full Name of Forth Inventor: _____
Inventor's signature: _____ Date: _____
Residence: _____
Citizenship: _____
Post Office Address: _____

Full Name of Fifth Inventor: _____
Inventor's signature: _____ Date: _____
Residence: _____
Citizenship: _____
Post Office Address: _____

Full Name of Sixth Inventor: _____
Inventor's signature: _____ Date: _____
Residence: _____
Citizenship: _____
Post Office Address: _____